

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
BUREAU OF ENVIRONMENT  
DIVISION OF AIR POLLUTION CONTROL

IN THE MATTER OF:	)	
	)	
	)	
American Redi-bilt, Inc	)	ORDER NO. <u>19-0010</u>
dba Catamaran Cruisers	)	
Columbia, Tennessee	)	
(60-0066)	)	
Variance Request for Fees	)	

BOARD ORDER

The following matter came before the Tennessee Air Pollution Control Board (Board) on February 13, 2019.

On February 12, 2019, Mr. Dale Bryant, General Manager of American Redi-Bilt, Inc., doing business as Catamaran Cruisers, located in Columbia, TN, petitioned the Board, pursuant to Tennessee Code Annotated Section 68-201-118, for a variance from the provisions of the Tennessee Air Quality Act, Tennessee Code Annotated Section 68-201-101 et seq., as implemented through the rules of the Tennessee Department of Environment and Conservation, Chapter 1200-3-26, and related to requirements to pay certain Title V major source fees. In the petition, Catamaran Cruisers requested a variance for the July 1, 2018, to June 30, 2019, (Fiscal Year 2019) annual accounting period that would allow the company to pay a reduced minimum fee of \$5,500 rather than the applicable minimum fee of \$7,500.

Tennessee Code Annotated Section 68-201-118 requires the Technical Secretary of the Board to promptly investigate any petition for a variance and to make a recommendation to the Board as to its disposition. Based on the following facts, the Technical Secretary has made a recommendation to grant Cataraman Cruiser's variance petition:

American Redi-Bilt, Inc., dba Catamaran Cruisers requests a variance from the provisions of Tennessee Air Pollution Control Regulation 1200-03-26-.02(9)(d)2(ii) that require permitted allowable emissions below the Title V applicability thresholds of 10 tons per year of a single hazardous air pollutant and 25 tons per year of a combination of hazardous air pollutants to be eligible for the reduced minimum fee of \$5,500 per year.

Catamaran Cruisers was previously subject to the federal NESHAP standard for Boat Manufacturing found at 40 CFR 63 Subpart VVVV and was thus required to have a Title V permit despite actual hazardous air pollutant emissions below the applicability thresholds.

Following EPA's rescission of their "Once In, Always In" policy on February 8, 2018, Catamaran Cruisers submitted a conditional major operating permit application on May 31, 2018. On June 8, 2018, Catamaran Cruisers submitted an agreement letter requesting federally enforceable permit limitations of 9.9 tons per year of a single hazardous air pollutant and 24.9

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tons per year of a combination of hazardous air pollutants, but the conditional major operating permit has not yet been issued.

Catamaran Cruisers agrees to comply with these limitations and maintain actual emission records to prove compliance with the requested limits.

Effective April 11, 2018, Tennessee Air Pollution Control Rule (TAPCR) 1200-03-26-.02(9), Annual Emissions Fees for Major Sources, was amended to lower the minimum annual emissions fee from \$7,500 to \$5,500 for sources required to have a major source (Title V) operating permit solely because of the United States Environmental Protection Agency’s May 16, 1995 memorandum entitled, “Potential to Emit for MACT Standards—Guidance on Timing Issues,” from John Seitz, Director, Office of Air Quality Planning and Standards (OAQPS), to EPA Regional Air Division Directors, provided that the source has permitted allowable emissions below the major source thresholds found in part 14. of subparagraph (b) of paragraph (11) of Rule 1200-03-09-.02.

Based on the foregoing facts, the Technical Secretary recommends approval of the request for this fee payment variance to allow Catamaran to pay the alternative minimum fee of \$5,500 for the period of July 1, 2018, through June 30, 2019, rather than the otherwise applicable minimum fee of \$7,500.

When the Technical Secretary recommends granting a variance, the Board may do so without a hearing (Tenn. Code Ann. § 68-201-118(b)), and any variance granted shall be for a period not to exceed one (1) year.

Based on the Technical Secretary's recommendation, the Board grants Catamaran Cruiser's requested variance. This variance shall become effective on February 13, 2019, and shall expire on February 12, 2020.

Entered and approved by the following Board members on February 13, 2019.

[illegible]